

Construction Plant - Excavators

Application of: Provision and Use of Work Equipment Regulations 1998 Lifting Operations and Lifting Equipment Regulations 1998

Technical Bulletin

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Excavators are used in many operational contexts and in numerous environments. They provide flexibility and capacity for the clearing of sites and the extraction and movement of spoil. However, there are some basic rules that must be followed, when considering the suitability of a machine for a given duty, in order for the use of such equipment to remain compliant with safety legislation.

Where an excavator is equipped from manufacture with only bucket capacity and configured accordingly then the machine can only be considered within legislation as being an item of work equipment and, amongst other regulatory requirements, must be periodically inspected by a competent person under the Provision and Use of Work Equipment Regulations 1998. An excavator on bucket duties, excavating spoil, is not considered as being a machine suitable for the lifting and lowering of loads. Bucket spoil is not considered as being a load within the scope of lifting regulations. As such excavators on bucket duties cannot and must not be considered as being lifting machines.

Where an excavator is equipped, either from manufacture or retrospectively, with designated attachment points, clearly marked for lifting with appropriate Safe Working Loads (SWL) and for the lifting and lowering of loads via the use of suitable lifting accessories, then such machines are considered as being lifting equipment under the Lifting Operations and Lifting Equipment Regulations 1998. An excavator with a marked and designated lifting point, approved by the manufacturer or their chosen agent, is considered as being a lifting machine and, amongst other regulatory requirements, must be periodically thoroughly examined by a competent person.

It must be remembered that where machines have been designated for lifting then the Safe Working Load must be prominently marked and the machine may require the fitting of a device to warn of an approach to either an overload or unstable condition or which cuts out further operation when such conditions are reached (known as rated capacity indicators or limiters, respectively).

Supply legislation considers that lifting equipment with a manufacturer's designated SWL of 1000kg or below is inherently stable and very often is supplied without such devices. This has been acknowledged by industry as a reasonable acceptance level for the non-fitting of such devices. However, where the SWL is greater than 1000kg then the machine must be fitted with a capacity indicator or limiting device to aid the end user in ensuring that the equipment does not become unstable or overloaded in-service. User legislation, in the form of the Lifting Operations and Lifting Equipment Regulations 1998, supports this and requires the fitting of suitable devices to reduce the hazards of overload and instability for lifting machines, dependant on use and risk consideration.